<u>**Remarks:**</u>

Claim Objections

Claims 19, 25, 34 and 35 are objected. Applicants would ask the Examiner to clarify the reason for the objection. It is not clear what is meant by "Claims 19, 25, 34 and 35 have been used the terms "multiple"." The term "multiple" means "more than one." Thus, "multiple financial institutions" means more than one financial institution. It is clear from the disclosure of the specification and attached drawings that the subject matter of the present invention deals with more than one financial institution.

Claim Rejections – 35 USC § 102

Claims 25-34 are rejected under 35 USC 102(e) as being anticipated by Dahm. Claim 25 is specific in that it calls for <u>the gateway server</u> to have the menu data which comprises a list of financial institutions and a list of requests for performance by the financial institutions for a user of the mobile terminal. The Examiner indicates in the Office Action that the claim limitation is disclosed in Dahm in col. 7, lines 1-33. The designated part of the specification of Dahm discusses the construction of <u>the mobile telephone, not a server</u>. There is noting in Dahm that discloses or teaches that <u>a server</u> has menu date that comprises <u>a list of financial institutions</u> and <u>a list of requests</u> for performance by the financial institutions. Therefore, Applicants respectfully submit that claims 25-34 should be patentable over Dahm.

Claim Rejections – 35 USC § 103

Claims 16-24 and 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over D'Avello in view of Lambert. Claim 16 calls for the network to have a memory that records whether to disable the mobile terminal due to a possibility of fraud. The Examiner indicates in the Office Action that the claim limitation is disclosed in D'Avello in col. 6, lines 25-49 and col. 8, lines 24-51. The portion of the specification in col. 6, lines 25-49 discusses the functions of the telephone and its cradle and has nothing to with a memory of a network.

The portion of the specification in col. 8, lines 24-51 discusses that the registration computer 107 looks up information regarding stolen cards and then sends

an "access accept" or "deny access" message to the telephone. Please note that the registration computer 107 has a list of stolen cards and is capable of determining whether a particular card is a stolen card. On the other hand, the network recited in claim 16 records in a memory whether to disable the mobile terminal due to a possibility of fraud. In other words, the network puts up a fraud flag in the memory. This is because the invention in claim 6 contemplates its application to the situation where the network is not capable of determining whether the requested card is a stolen one. As discussed in the embodiments of the specification, for instance, the network of the present invention does not have any financial data. The financial data is all in the financial institutions. Thus, the network of the present invention cannot determine whether a particular card is a stolen card. Instead, in the embodiments, the network raises the fraud flag in response to a notification of a possibility of fraud. The registration computer 107 of D'Avello does not need to rely on such a flag because it can determine whether a particular card is a stolen one. Thus, there is nothing in D'Avello that suggests or teaches raising the fraud flag or "a memory that records whether to disable the mobile terminal due to a possibility of fraud committed in connection with the financial services."
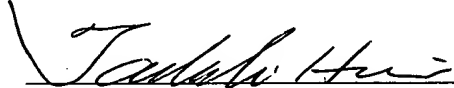
The feature of raising the fraud flag is not disclosed or taught in Lambert, either. Therefore, claims 16-24 should be patentable over D'Avello and Lambert.

Claim 35 calls for an instrument adapted to be used with an external instrument reader. The instrument is, for instance in the embodiment, a universal magnetic card, and the external instrument reader is, for instance in the embodiment, a cash register placed in a retailer store. Claim 35 also calls for an instrument control that reconfigures the instrument, based on the readout information, for effecting the financial services provided by the selected financial institution. In the embodiment of the present invention, all of the contract information is stored in a wireless telephone. A user of the wireless telephone may be contracted with multiple card companies. When the user selects one card company, for instance VISA, the contract information regarding VISA is readout from the memory and recorded on the universal card. The universal card can thereby be used as a VISA card. More specifically, in the embodiment, according to a selection of a card company by the user, the wireless telephone reconfigures the

universal card into a specific credit card. Both D'Avello and Lambert are silent about the subject matter recited in claim 35. Therefore, claims 35-38 should be patentable over D'Avello and Lambert

Respectfully submitted,

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